

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

- 1. (original):** A toner formed of a material mainly containing polyester-based resin as a resin component, wherein

the polyester-based resin comprises block polyester mainly composed of a block copolymer, and amorphous polyester having crystallinity lower than that of the block polyester, wherein the block polyester comprises a crystalline block obtained by condensation of a diol component with a dicarboxylic acid component, and an amorphous block having crystallinity lower than that of the crystalline block, wherein the acid value of the toner is 8.0 KOHmg/g or less.
- 2. (original):** The toner as claimed in claim 1, wherein the melting point of the block polyester is higher than the softening point of the amorphous polyester.
- 3. (original):** The toner as claimed in claim 1, wherein the amorphous polyester contains a monomer component and the block polyester contains a monomer component, in which 50 mol% or more of the monomer component of the amorphous polyester is the same as the monomer component of the amorphous block of the block polyester.

4. **(original):** The toner as claimed in claim 1, wherein the compounding ratio between the block polyester and the amorphous polyester is in the range of 5:95 to 45:55 in weight ratio.
5. **(original):** The toner as claimed in claim 1, wherein the content of the crystalline block in the block polyester is in the range of 5 to 60 mol%.
6. **(original):** The toner as claimed in claim 1, wherein 80 mol% or more of the diol component constituting the crystalline block of the block polyester is aliphatic diol.
7. **(original):** The toner as claimed in claim 1, wherein the diol component constituting the crystalline block of the block polyester has a straight-chain molecular structure containing 3 to 7 carbon atoms and hydroxyl groups at both ends of the chain.
8. **(original):** The toner as claimed in claim 1, wherein 50 mol% or more of the dicarboxylic acid component constituting the crystalline block of the block polyester has a terephthalic acid structure.
9. **(original):** The toner as claimed in claim 1, wherein the amorphous block of the block polyester contains a diol component, and at least a part of the diol component is aliphatic diol.

- 10. (original):** The toner as claimed in claim 1, wherein the amorphous block of the block polyester contains a diol component, and at least a part of the diol component has a branched chain.
- 11. (original):** The toner as claimed in claim 1, wherein the melting point of the block polyester is 190°C or higher.
- 12. (original):** The toner as claimed in claim 1, wherein the heat of fusion of the block polyester determined by measuring the endothermic peak of the block polyester at its melting point according to differential scanning calorimetry is 3 mJ/mg or greater.
- 13. (original):** The toner as claimed in claim 1, wherein the weight average molecular weight  $M_w$  of the block polyester is in the range of  $1 \times 10^4$  to  $3 \times 10^5$ .
- 14. (original):** The toner as claimed in claim 1, wherein the block polyester is a linear polymer.
- 15. (currently amended):** The toner as claimed in claim 1~~[[.]]~~, wherein the amorphous polyester contains a dicarboxylic acid component, and 80 mol% or more of the dicarboxylic acid component has a terephthalic acid structure.

- 16. (original):** The toner as claimed in claim 1, wherein the weight average molecular weight  $M_w$  of the amorphous polyester is in the range of  $5 \times 10^3$  to  $4 \times 10^4$ .
- 17. (original):** The toner as claimed in claim 1, wherein the amorphous polyester is a linear polymer.
- 18. (original):** The toner as claimed in claim 1, wherein the block polyester and the amorphous polyester are sufficiently soluble with each other, or the block polyester and the amorphous polyester are almost soluble with each other in which aggregated fine crystalline blocks of the block polyester are dispersed in the form of fine particles.
- 19. (original):** The toner as claimed in claim 1, wherein the compounding ratio between the block polyester and the amorphous polyester is in the range of 5:95 to 20:80 in weight ratio, wherein the content of the crystalline block in the block polyester is in the range of 40 to 60 mol%.
- 20. (original):** The toner as claimed in claim 1, wherein the compounding ratio between the block polyester and the amorphous polyester is in the range of 5:95 to 20:80 in weight ratio, wherein the softening point  $T_{1/2}$  of the block polyester is in the range of 200 to 230°C.

- 21. (original):** The toner as claimed in claim 1, wherein the compounding ratio between the block polyester and the amorphous polyester is in the range of 5:95 to 20:80 in weight ratio, wherein the acid value of the amorphous polyester is in the range of 3 to 15 KOHmg/g.
- 22. (original):** The toner as claimed in claim 1, wherein the content of the polyester-based resin in the toner is in the range of 50 to 98 wt%.
- 23. (original):** The toner as claimed in claim 1, further comprising an external additive.
- 24. (original):** The toner as claimed in claim 23, wherein the external additive contains negatively-chargeable silica.
- 25. (original):** The toner as claimed in claim 23, wherein the external additive contains positively-chargeable silica.
- 26. (original):** The toner as claimed in claim 25, wherein the average grain size of the positively-chargeable silica is in the range of 30 to 100 nm.
- 27. (original):** The toner as claimed in claim 25, wherein the positively-chargeable silica is obtained by treating silica gel with a silane coupling agent having an amino group.

- 28. (original):** The toner as claimed in claim 23, wherein the ratio of the external additive liberated from the surfaces of toner particles of the toner is 5 wt% or less.
- 29. (original):** The toner as claimed in claim 28, wherein at least a part of the external additive liberated from the surfaces of the toner particles functions as a micro carrier to be charged with polarity opposite to that of the toner particles.
- 30. (original):** The toner as claimed in claim 23, wherein the coating ratio of toner particles of the toner with the external additive is in the range of 100 to 300 %.
- 31. (original):** The toner as claimed in claim 23, wherein the content of the external additive is in the range of 4 wt% or less.
- 32. (original):** The toner as claimed in claim 1, wherein the average roundness  $R$  determined by the formula  $R = L_0/L_1$  is in the range of 0.90 to 0.98, where  $L_1$  ( $\mu\text{m}$ ) is a circumferential length of a projected image of a toner particle of the toner which is an object to be measured, and  $L_0$  ( $\mu\text{m}$ ) is a circumferential length of a true circle having an area equal to the area of the projected image of the toner particle of the toner which is an object to be measured.
- 33. (original):** The toner as claimed in claim 1, wherein the average particle size of the toner is in the range of 3 to 12  $\mu\text{m}$ .

**34. (original):** The toner as claimed in claim 1, further comprising a wax.

**35. (original):** The toner as claimed in claim 34, wherein the content of the wax is 5 wt% or less.

**36-61. (canceled).**